



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 04-13

Date: March 3, 2004

Application No. 2003-01950

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214
Attn: Lisa Morris, telephone 615/369-7504 Fax 615/369-7501

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
STATE OF ALABAMA

SUBJECT: Proposed New Harbor Limits, Six Community Docks, One Boat Ramp with Pier, Hydraulic Dredging with Upland Disposal Site, and Riprap Bank Stabilization in an Unnamed Cove off Elk River Mile 1.8, Left Bank, and Four Fixed Piers on Elk River Mile 1.7, Left Bank, Limestone County, AL (The Pointe Subdivision)

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army (DA) permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** and **Section 404 of the Clean Water Act (CWA)** and Tennessee Valley Authority (TVA) approval pursuant to **Section 26a of the TVA Act**. Before a permit can be issued, certification must be provided by the state of Alabama, Department of Environmental Management (ADEM), pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated.

By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: River Front Development, LLC
211 South Jefferson Street
Athens, AL 35611

LOCATION: Elk River Miles 1.7 to 1.8, Left Bank, Wheeler Lake, Limestone County, Alabama. The Elk River is a tributary of the Tennessee River at Mile 285.0, Right Bank. USGS Quad- Rogersville, AL, lat: 34-47-00; lon 87-16-30. TVA RLR No. 153430. See attached location map, Exhibit A.

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DESCRIPTION OF PROPOSED WORK: The applicant proposes to construct the following water use facilities for the use of property owners in The Pointe subdivision. The facilities would belong to and be maintained by the developer. Plans of the proposed work are attached.

- 1) The cove would be dredged to bottom Elevation 544 requiring the removal of approximately 28,000 cubic yards of river bottom material. No dredging would occur within a minimum 10' buffer measured from the Normal Summer Pool shoreline contour, Elevation 556, to the edge of dredge cut. Spoil would be removed by hydraulic dredge and pumped to an upland location above Elevation 560 and stabilized on the subdivision property. No spoils would be placed within 50' of the TVA property line or within 200' of a pond on the property.
- 2) Approximately 1,950 feet of the shoreline would be stabilized from bottom Elevation 550 to top Elevation 560 using 1,000 cubic yards of stones (sizes 6" to 18" dia.) over filter fabric.
- 3) An 80' wide x 80' long boat-launching ramp would be constructed at the back of the cove. Above the 560 contour, the paved area would widen to 150' to provide for vehicle and trailer parking. An 8' wide by 40' long finger pier would be constructed on south side of the ramp.
- 4) Floating covered slips with metal roofs, open sides, concrete decking, galvanized metal frames, and encased flotation, would be constructed in the cove as follows:
 - Dock A - 179' x 54' with 16- 20' x 24' boat wells for 32 boats
 - Dock B - 179' x 66' with 16- 20' x 30' boat wells for 32 boats
 - Dock C - 157' x 66' with 14- 20' x 30' boat wells for 28 boats
 - Dock D - 204' x 88' with 20- 16' x 14' boat wells for 20 boats
 - Dock E - 244' x 106' with 20- 20' x 50' boat wells for 20 boats
 - Dock F with wave attenuator - 340' x 72' with 14- 20' x 60' boat wells for 14 boats
- 5) Four-fixed finger piers on steel piling with concrete decks would be constructed on the left bank of the river as follows: three piers, each measuring 4' x 50' with 10' x 24' at the end, and one A.D.A. compliant pier measuring 8' x 120' with an 30' octagon at the end.
- 6) Establishment of Harbor Limits for the work (by TVA).

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested permits.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based upon available information, the proposed work would not destroy or endanger any federally-listed, threatened, or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the US Fish and Wildlife Service is not planned at this time.

In addition to the DA permit, the TVA permit, and ADEM's water quality certification, other federal, state, and/or local approvals may be required for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a hearing. **Written statements received in this office on or before April 2, 2004, will become a part of the record and will be considered in the determination.** Any response to this notice should be directed to the Regulatory Branch, Attn: Lisa Morris, at the above address. It is not necessary to comment separately to TVA or ADEM since copies of all comments will be sent to those agencies and will become part of their records on the proposal. Point of contact with TVA is Tim Gilbert, Project Leader, PO Box 1010, Muscle Shoals, AL 35662, telephone (256) 386-2228. Questions regarding the water quality certification can be directed to Mitt Walker, ADEM, PO Box 301463, Montgomery, AL 36130, telephone (334) 394-4302.

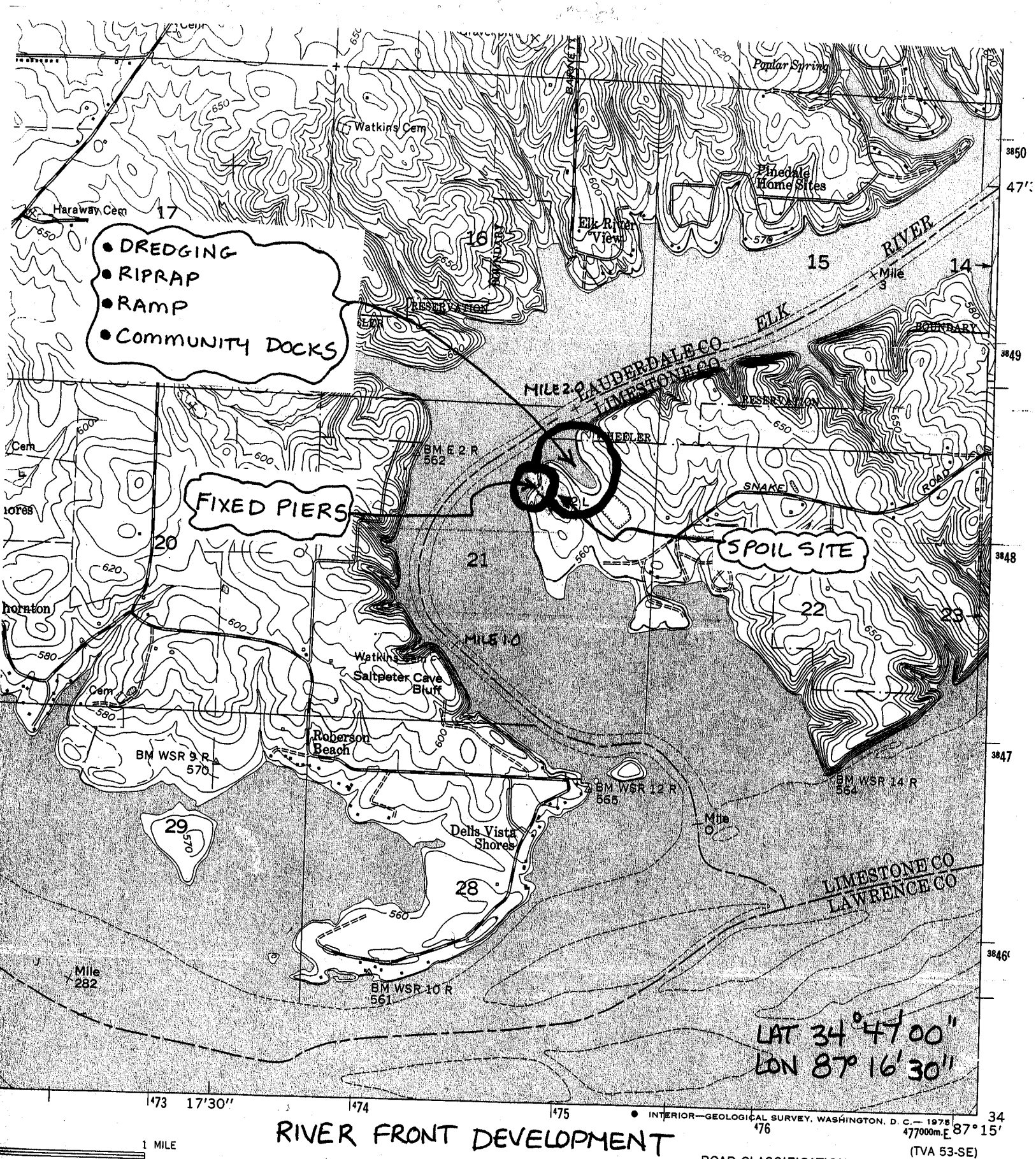
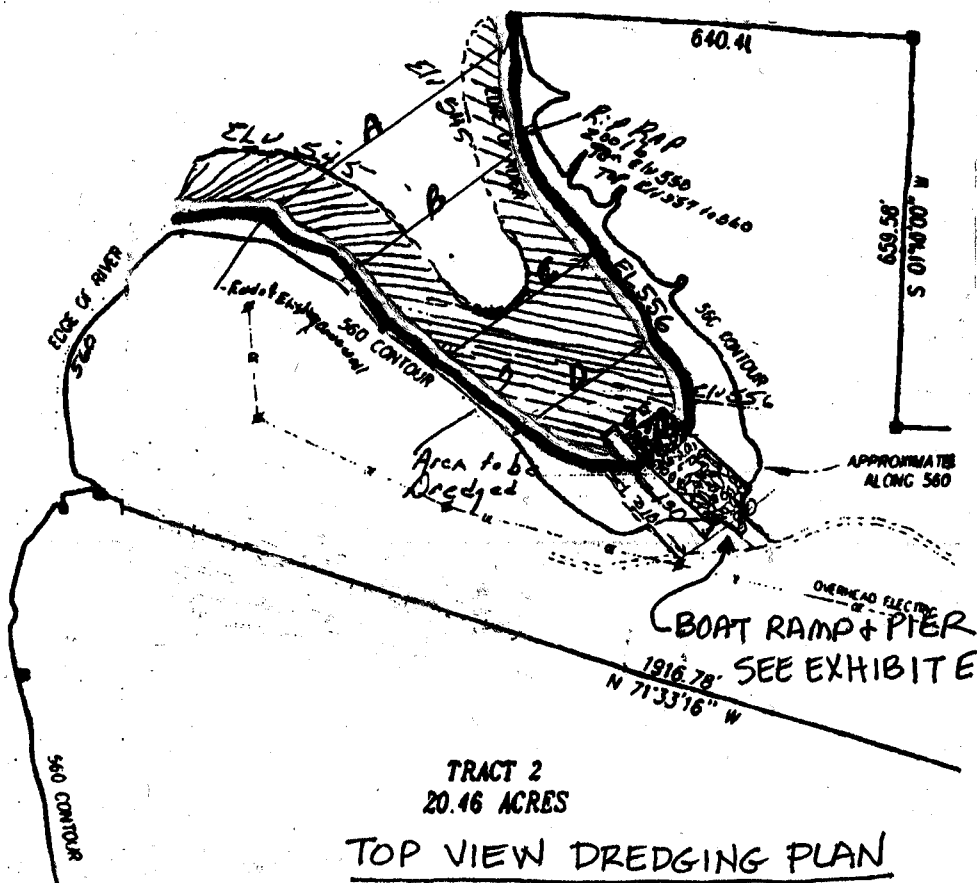


EXHIBIT A
PN 04-13
FILE NO. 2003-01950
LOCATION MAP

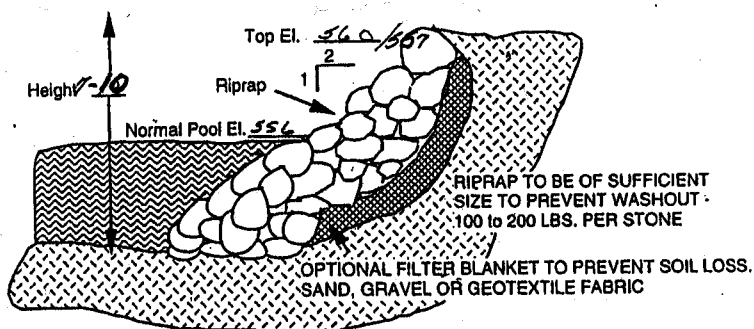
ROAD CLASSIFICATION
 ——— Poor motor road ———
 ——— Wagon and jeep track ———
 ——— Foot trail ———
 (O) State Route
 as, only through roads are classified

ROGERSVILLE, ALA.
N3445-W8715/7.5



DREDGING FOOTPRINT
 RIPRAP ON SHORELINE

SEE EXHIBIT C
FOR DREDGE
SECTION VIEWS
A, B, C + D



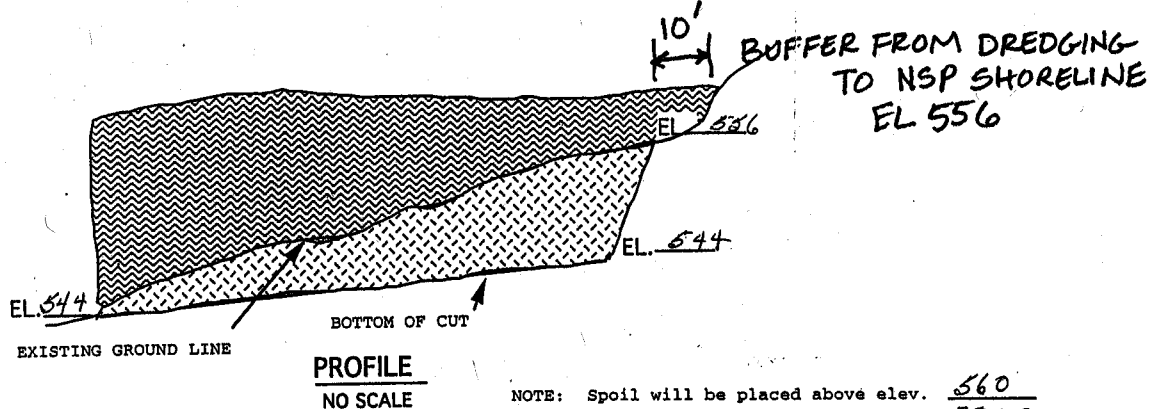
SLOPE SHOULD BE A RATIO OF
2' HORIZONTAL TO 1' VERTICAL

NOTE: The riprap is to be placed
at or along the reservoir
shoreline as it exists at
the normal full pool
elevation.

RIPRAP SECTION VIEW

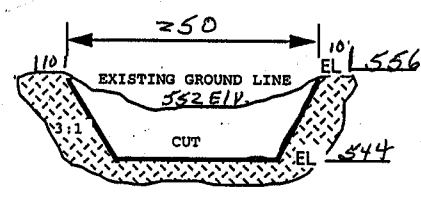
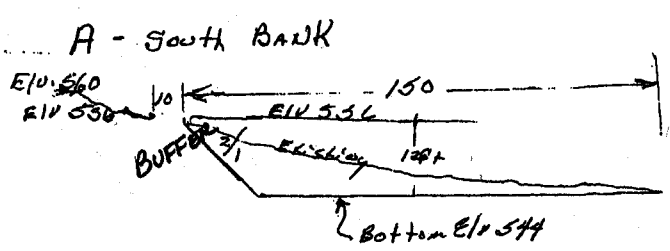
Height of riprap 10 ft
Length of riprap 1860 ft
Cu. yds. of total fill 1000 cu yds @ 200 lbs. per cu. yd.
(Backfill shall be kept to a minimum)

EXHIBIT B
PN 04-13
FILE NO. 2003-01950



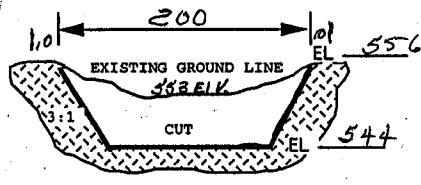
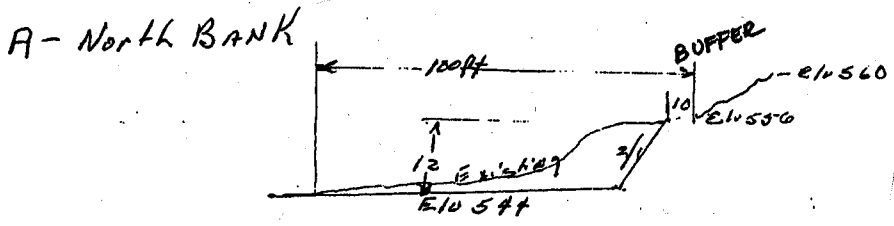
NOTE: Spoil will be placed above elev. 560
Cubic yards of spoil 28,000

Cross Sectional Views of Dredge Cut



SECTION ~~A-A~~ C-C

NO SCALE



SECTION ~~A-A~~ D-D

NO SCALE

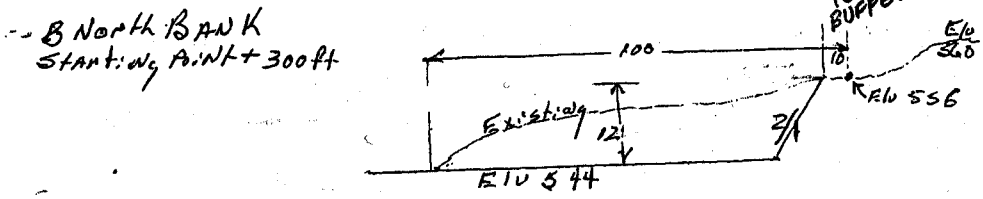
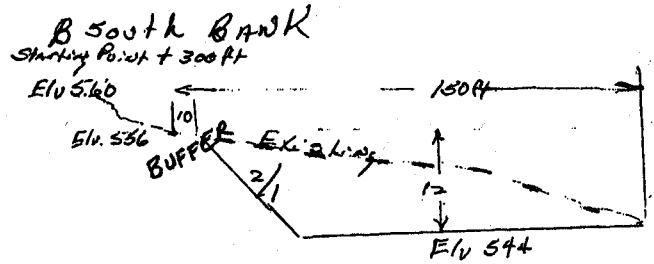


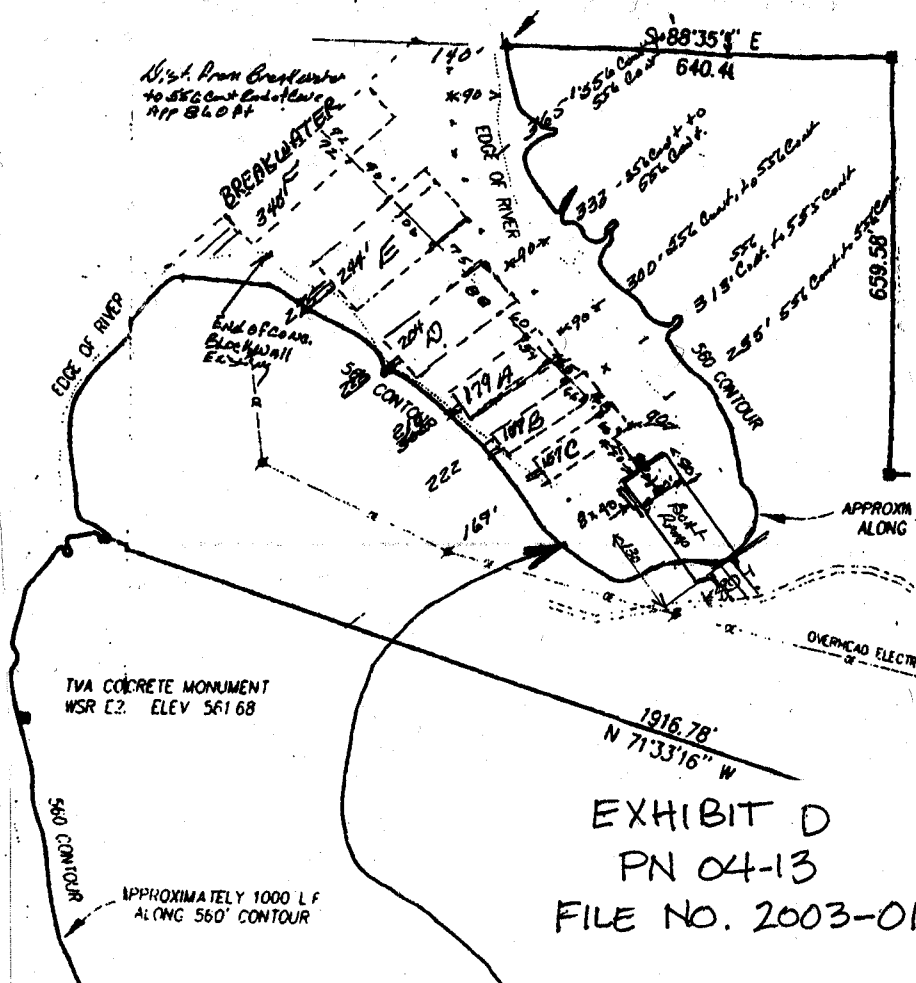
EXHIBIT C

PN 04-13

FILE NO. 2003-01950

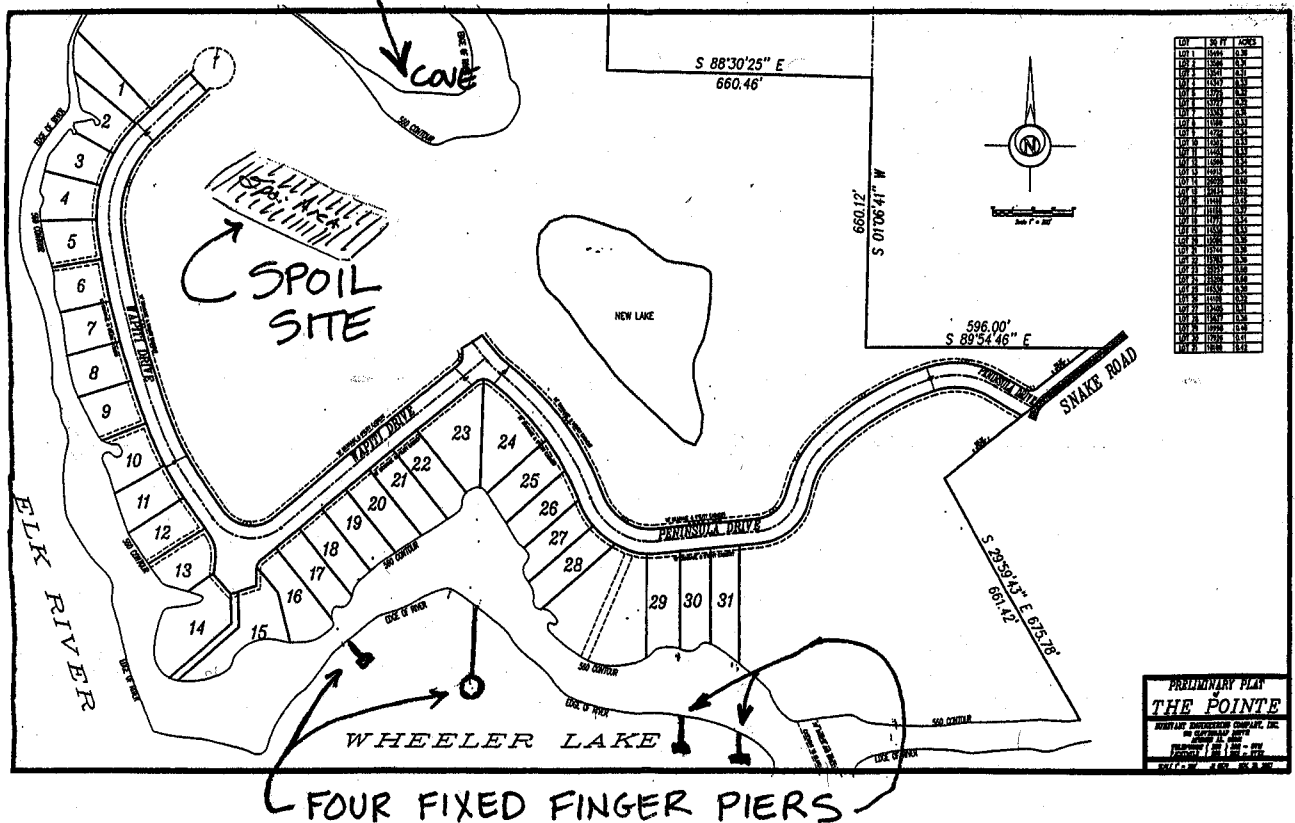
DREDGE SECTION VIEWS

SEE EXHIBIT B FOR TOP VIEW



- PLAN VIEW OF
- COMMUNITY DOCKS A-F
 - BOAT RAMP
 - FLOATING BREAKWATER ON DOCK F

EXHIBIT D
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Piers 8' x 40'
 Cast-in-place concrete
 Metal Truss Frame
 Enclosed from flotation
 Ramp: 4' x 40'
 Galv. Plate Frame
 T. Pipe Decking
 Expanded Metal
 For Location on Property
 See Exhibit Map #1 or #2

APP
EL. 551

EL. 556.3

6" Pipe 3' tall
 for Ramp Protection

4" Rod Case 3, 50, 461
 8x8 King & Weller
 Base 4" #51 6400
 5/16 x 7/8 to protect
 by 200.6 R.P. Reg.

RAMP

TOP VIEW

TOP VIEW

Launching Ramp

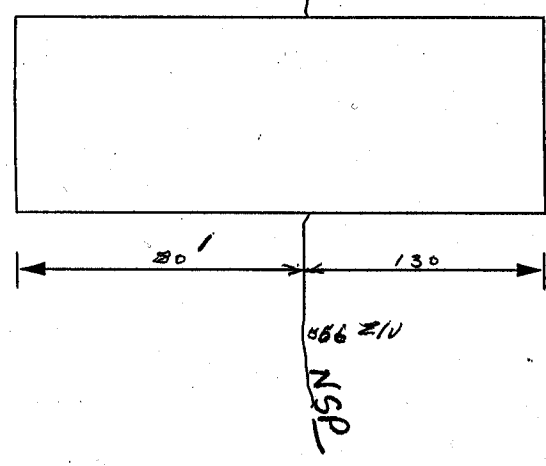
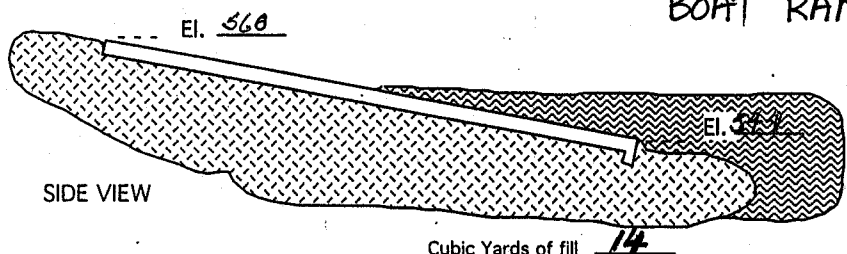


EXHIBIT E
 PN 04-13
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BOAT RAMP W/ FIXED PIER PLANS

SIDE VIEW



Cubic Yards of fill 14

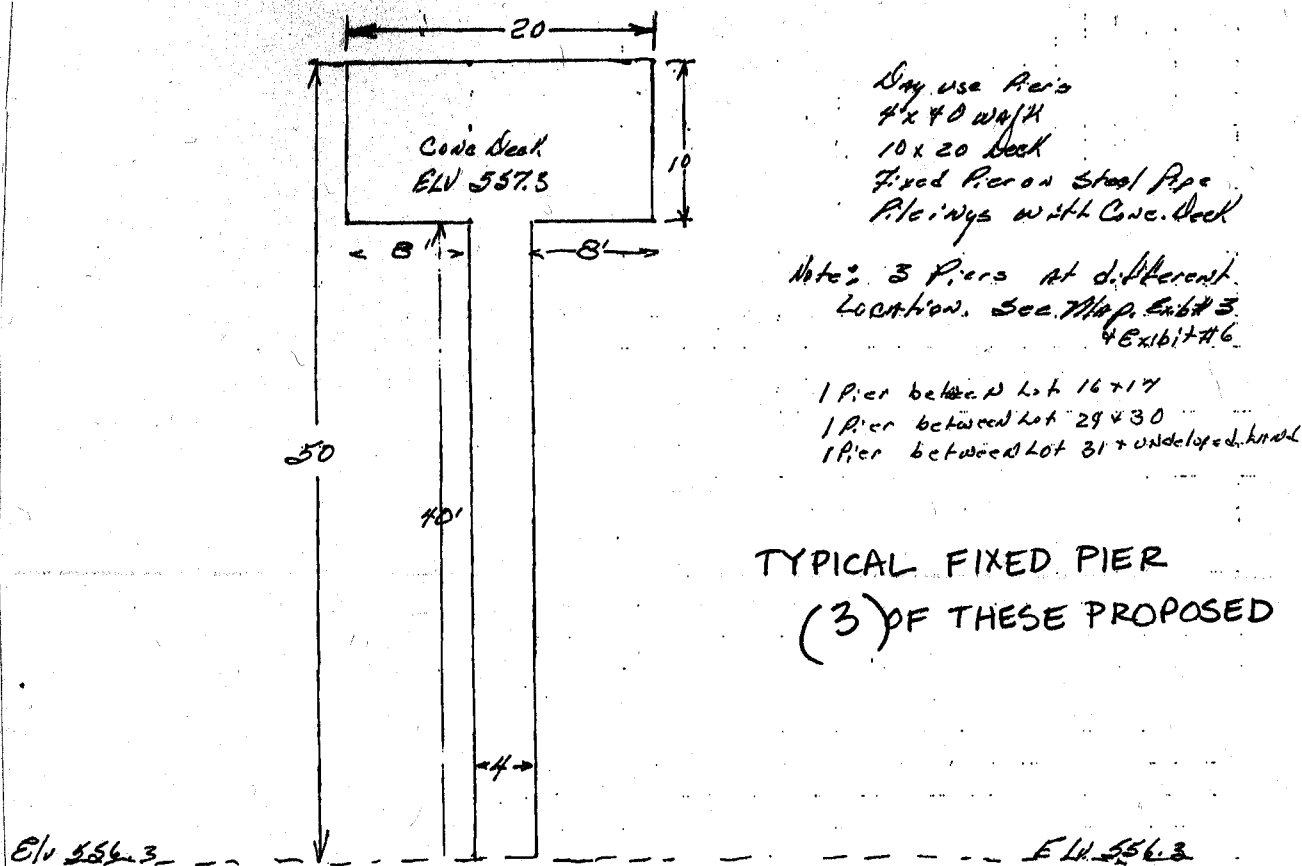
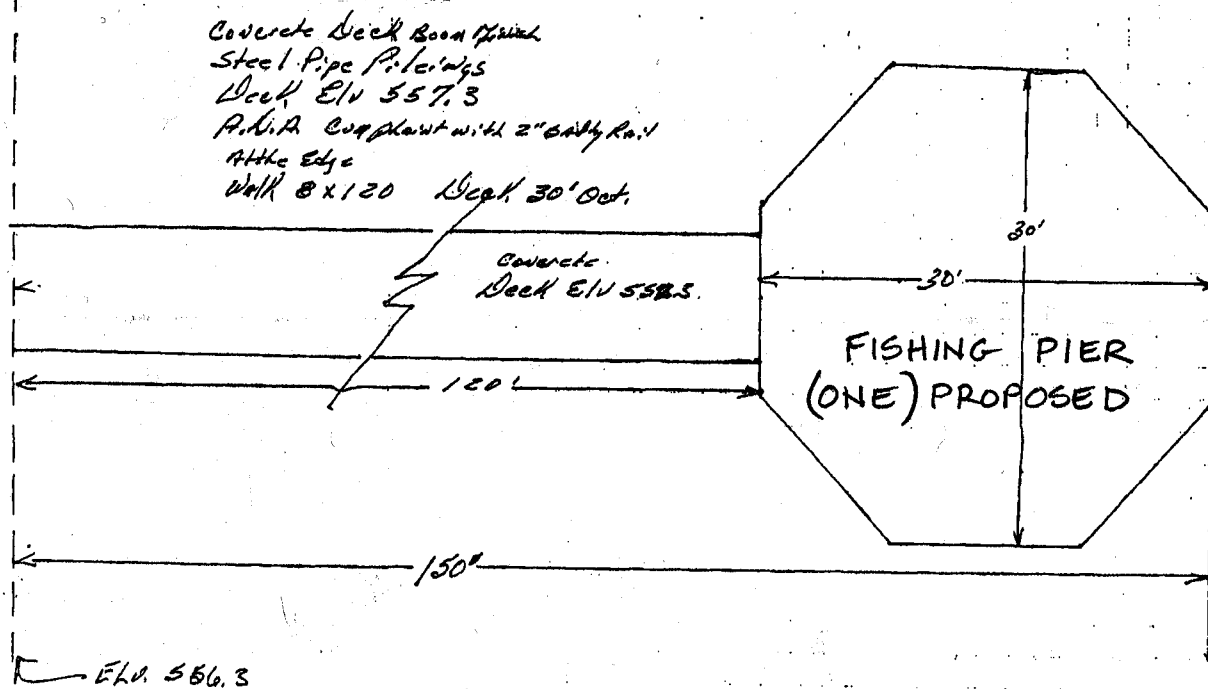
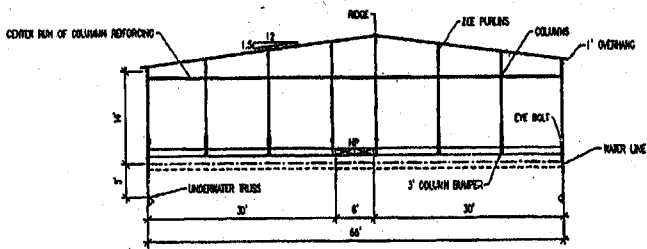


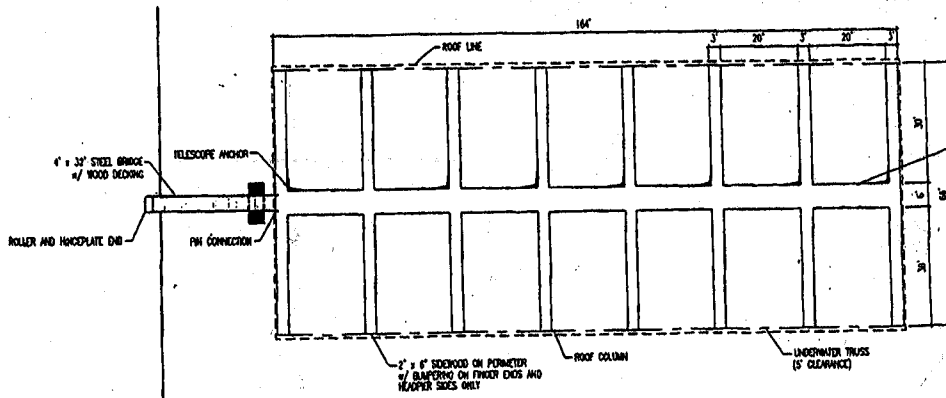
EXHIBIT F
PN 04-13
FILE NO. 2003-01950
INDIVIDUAL
FIXED PIER PLANS



See Exhibit MAP # 3 for Location on Property
Exhibit MAP # 6
Between Lot # 23 & 24

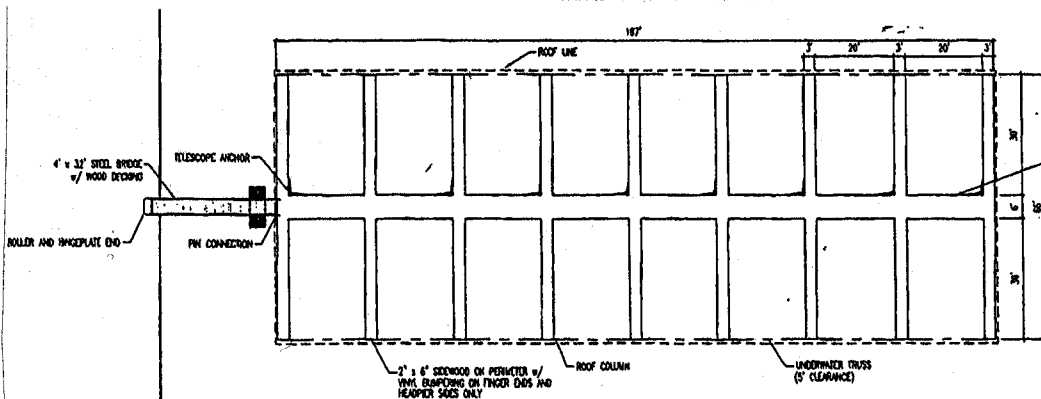


DOCK A ELEVATION VIEW



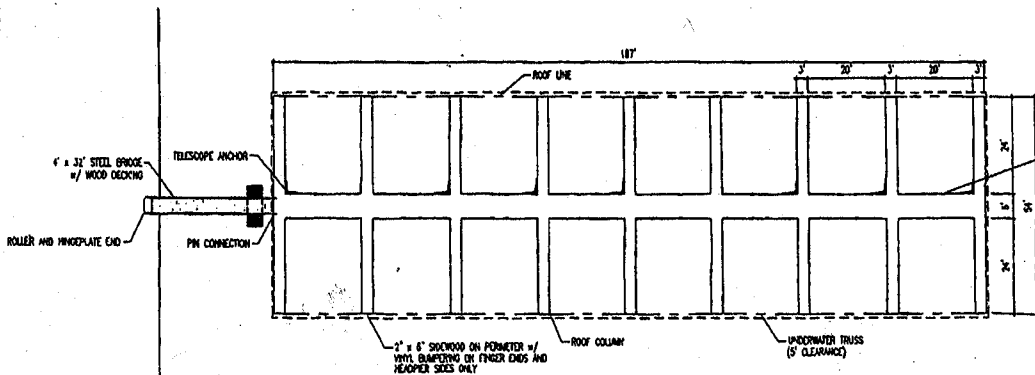
PLAN VIEW

DOCK A - (14) 20' x 30' COVERED SLIPS



PLAN VIEW

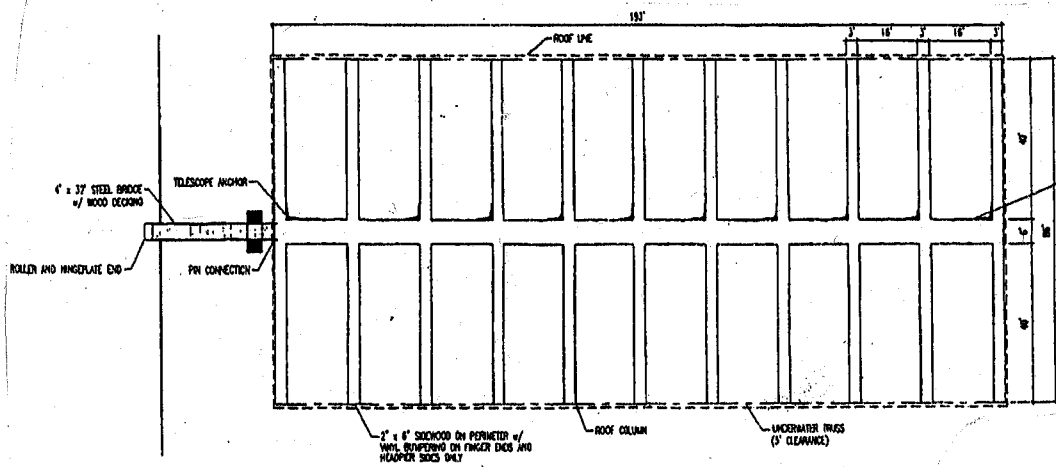
DOCK B - (16) 20' x 30' COVERED SLIPS



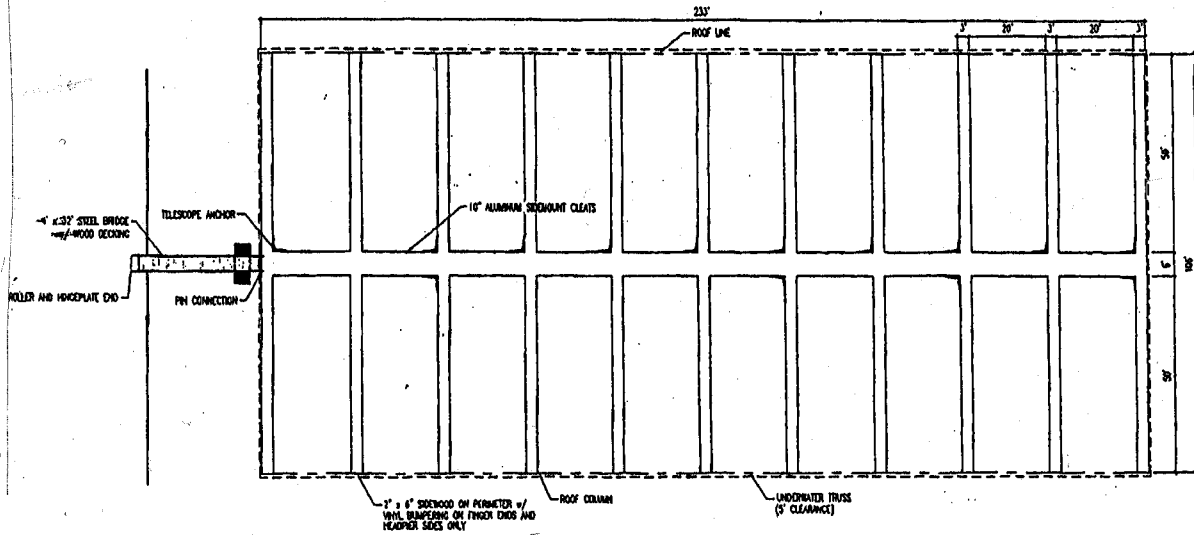
PLAN VIEW

DOCK C - (16) 20' x 24' COVERED SLIPS

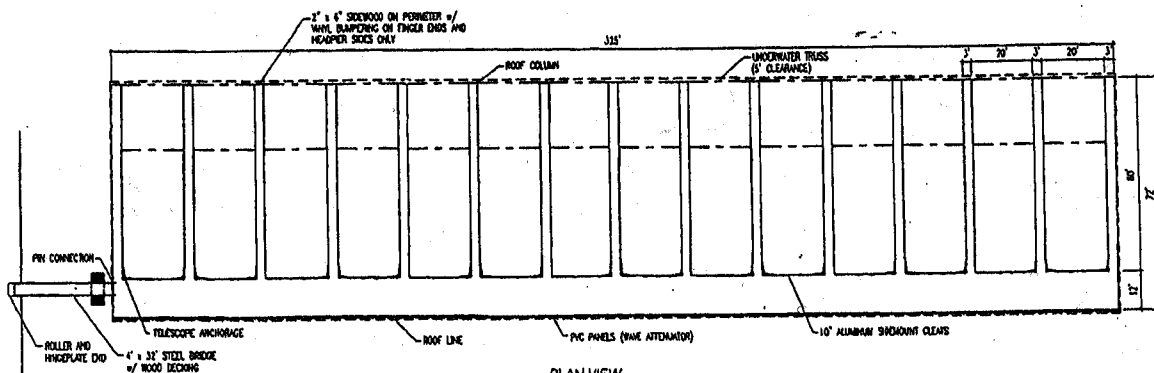
EXHIBIT F
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PLAN VIEW
DOCK D - (20) 16' x 40' COVERED SLIPS



PLAN VIEW
DOCK E - (20) 20' x 50' COVERED SLIPS



PLAN VIEW
DOCK F - (14) 20' x 60' COVERED SLIPS

EXHIBIT G
PN 04-13
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